THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

Writ Petition No.27799 of 2005

28.12.2005

BETWEEN

M/s Vasavi Medical & General Stores.

.....PETITIONER

AND

The Superintendent, Govt. General Hospital, Guntur, Guntur District and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

Writ Petition No.27799 of 2005

ORDER:

The petitioner challenges the action of the fourth respondent, District Collector and Chairman, Government General Hospital Development Society, Guntur in conducting negotiations on 17.12.2005 and leasing the right to establish medical shop in the first respondent-hospital in favour of the sixth respondent. The petitioner narrated various facts, commencing from issuance of tender notification, dated 15.10.2005, till the award of contract in favour of the sixth respondent. It is alleged that the fourth respondent acted in arbitrary and illegal manner in awarding contract to the sixth respondent.

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health.

The issue relating to grant of lease for establishing a medical shop in the first respondent-hospital was the subject matter of W.P.No.25045 of 2005, which was filed by the sixth respondent herein. The sixth respondent emerged as the highest tenderer. However, the contract was awarded in favour of the petitioner by undertaking negotiations. This Court passed interim orders at various stages and ultimately, directed the fourth respondent to undertake negotiations with the petitioner and the sixth respondent herein. On 17.12.2005 such a negotiation was undertaken and the sixth respondent offered Rs.17 lakh, whereas the petitioner had walked out of the negotiations. Left with no alternative, the fourth respondent granted lease in favour of

the sixth respondent. This Court took note of the said fact and closed the writ petition.

In the affidavit filed in the support of this writ petition, the petitioner categorically stated that it refused to participate in the proceedings conducted on 17.12.2005. The said proceedings were conducted in pursuance of the directions issued by this Court. If the petitioner has walked out it, it cannot complain of any developments that have taken place therein. In that view of the matter, this Court cannot grant any relief to the petitioner.

The writ petition is accordingly dismissed. No costs.

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28.12.2005

VGB